



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,935	07/31/2003	Yasuhiro Tamekuni	B208-889 DIV	9639

26272 7590 05/08/2007
COWAN LIEBOWITZ & LATMAN P.C.
JOHN J TORRENTE
1133 AVE OF THE AMERICAS
NEW YORK, NY 10036

EXAMINER

SHAPIRO, LEONID

ART UNIT	PAPER NUMBER
----------	--------------

2629

MAIL DATE	DELIVERY MODE
-----------	---------------

05/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/631,935

Applicant(s)

TAMEKUNI ET AL.

Examiner

Leonid Shapiro

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 29-30,33-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Takemoto et al. (5,810,665).

As to claim 29, Takemoto et al. teaches a display apparatus (col. 1, lines 6-9) comprising:

a display unit adapted to display an image (fig. 1, item 110, col. 5, lines 28-39);

a time setting unit adapted to set a time, the time to be set by said time setting unit can be changed by a user (figs. 1,4, items 123,401, from col. 8, line 20 to col. 9, line 19);

a detection unit adapted to detect whether the time set by said time setting unit is passed (fig. 4, item 401, col. 14, lines 17-22); and

an image size changing unit adapted to change an image size of the image to be displayed on said display unit so as to warn the user that the time set by said time setting unit is passed, if said detection unit detects that the time set by said time setting unit is passed (col. 3, lines 6-12).

As to claim 33, Takemoto et al. teaches a method for controlling a display

apparatus (col. 1, lines 6-9) including

(a) a display unit adapted to display an image (fig. 1, item 110, col. 5, lines 28-39) and (b) a time setting unit adapted to set a time, the time to be set by said time setting unit can be changed by a user (figs. 1,4, items 123,401, from col. 8, line 20 to col. 9, line 19); the method comprising the steps of:

detecting whether whether the time set by said time setting unit is passed (fig. 4, item 401, col. 14, lines 17-22); and

changing an image size of the image to be displayed on said display unit so as to warn the user that the time set by said time setting unit is passed, if said detection unit detects that the time set by said time setting unit is passed (col. 3, lines 6-12).

As to claims 30,34, Takemoto et al. teaches image size changing unit reduces and enlarges the image size of the image to be displayed on said display unit so as to warn the user that the time set by said time setting unit is passed, if said detection unit detects that the time set by said time setting unit is passed (fig. 4, item 401, col. 14, lines 17-22).

3. Claims 31-32,35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takemoto et al. as applied to claims 29,33 above, and further in view of Shimada (5,640,171).

As to claims 31,35 Takemoto et al. does not disclose the display apparatus, wherein said display apparatus is capable of being mounted on user's head.

Shimada teaches the display apparatus, wherein said display apparatus is capable of being mounted on user's head (fig. 2, item 9, col. 3, lines 48-53).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate teachings of Shimada into Takemoto et al. system in order to display with high image quality (col. 1, lines 47-51 in the Shimada reference).

As to claims 32,36, Shimada teaches a liquid crystal display adapted to display an image, and a backlight source adapted to illuminate said liquid crystal display from behind (fig. 1, items 7-8, lines 53-60).

Telephone Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/631,935
Art Unit: 2629

Page 5

LS
05.05.07



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600